

DIST/OFFICE	DOCKET		FILING DATE		J	N/S	O	R	R 23	\$	DEMAND		JUDGE	JURY	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR						OTHER	NUMBER	DEM.	YR.	NUMBER	
1085/4	76	0062-	02	13	76	2	430	1			injunctive	8510			76	0062-C

PLAINTIFFS

UNITED BANK OF TULSA, a banking corporation, and DANIEL WAYNE HOOD, FRANK W. PODPECHAN, W. DEAN HIDY, PAUL E. BAKER, AMOS A. BAKER, II, WARREN A. READ, and KEN E. COX, Organizers of the Harvard Tower Bank.

DEFENDANTS

JAMES E. SMITH, Comptroller of the Currency of the United States of America

Party Defts. added 7-21-76:

Brown James Akin, Jr., Roger Morris Atwood, Ted C. Bodley, John Carson Bumgarner, William Nelson Dawson, Paul Dean Hinch, John Douglas McCartney, Glenn Franklin Prichard, R. James Stillings, Wayne Elwyn Swearingen, Taft Welch.

CAUSE

12 USC §§ 21 et seq., Title 5, USC § 70, Title 28, USC §2201 - Action for declarative relief and injunctive relative to approval of national bank application.

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☐ CHECK
HERE
IF CASE WAS
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FILING FEES PAID

DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED
JS-5 3-1076
JS-6 4-1-77

DATE	NR.	PROCEEDINGS
2-13-76 2-24	1.	Complaint, filed. Summons issued. rm Summons, ret. & filed: served Nathan Graham, U.S. Atty, Tulsa, Ok. on 2-17-76; mailed 2 cpies of summons to The Atty. Gen., Wash. D. C. by certified mail; 2-17-76, and mailed copy to James E. Smith, Comptroller of Currency, Wash. D. C. by certified mail on 2-17-76. (USM \$6.00)g
4-19	2.	Motion of def. for ext. of time to ans., filed. rm
4-19	3.	Order, filed, granting deft. until 5-17-76 to answer. (HDC-J)ph cps mld
5-18	4.	Ans. of deft. James E. Smith, filed. ph
5-19	5.	Motion for leave to intervene, filed. hm
5-19	6.	Brief in support of mo/leave to intervene, filed. hm
5-20	MO:	Parties directed to file responsive brief within 10 days to mo/leave to intervene. (HDC-J)hm
5-28	7.	Pltfs' brief in opposition to motion for leave to intervene, filed. ph
6-1	8.	Deft's motion for ext. of time to resp. to motion for leave to intervene, filed. ph <i>at 9</i>
6-2	9.	Order, filed, granting def. to 6/11/76 to respond to mo/intervene. (HDC-J) rm - copies mailed
6-2	10.	Resp. brief of deft. to motion for leave to intervene, filed. ph
6-4	11.	Reply brief of proposed intervenors-defts. in support of mot. for lve. to intervene, fld. v
7-21	12.	Order, filed, that Motion for leave to intervene as party defts. by Brown James Akin, Jr., Roger Morris Atwood, Ted C. Bodley, John Carson Bumgarner, William Nelson Dawson, Paul Dean Hinch, John Douglas McCartney, Glenn Franklin Prichard, R. James Stillings, Wayne Elwyn Swearingen and Taft Welch is granted; further ordered that said intervenors are granted 5 days from date of this order to file an ans. to the complaint. (HDC-J)ph cps mld
7-26	13.	Answer of Intervenors-defendants, Brown James Akin, Jr., Roger Morris Atwood, Ted C. Bodley, John Carson Bumgarner, William Nelson Dawson, Paul Dean Hinch, John Douglas McCartney, Glenn Franklin Prichard, R. Ka,es Stillings, Wayne Edwyn Swearinger and Taft Welch, filed. lm
8-30	14.	Deft. Comptroller's motion for Judgment on the pleadings or, in the alt, for S/J, w/brief in support, filed. ph
8-30	MO:	It is ordered by the Court that the Pltf. file a resp. brief within 10 days to the Motion of deft. Comptroller for judgment on the pleadings or, in the alt, for S/J. (HDC-J)ph cps mld
9-3	15.	Motion for S/J of intervenors-defts., Brown James Akin, Jr., Roger Morris Atwood, Ted C. Bodley, John Carson Bumgarner, William Nelson Dawson, Paul Dean Hinch, John Douglas McCartney, Glenn Franklin Prichard, R. James Stillings, Wayne Elwyn Swearingen and Taft Welch and adopt brief filed by deft. Comptroller, filed. ph
9-3	MO:	It is ordered by the Court that the Pltfs. and deft. James E. Smith, Comptroller, file a resp. brief within 10 days to the Motion for S/J of Intervenors-Defendants. (HDC-J)ph cps mld
9-3	16	Appli. for Order allowing pltfs additional time to file responsive brief to deft comptroller's mo. for Jmt. on the pleadings or, in the alternative, for S/J and his brief in support thereof, filed. lm (o to J)
9-7	17	Order, filed, granting pltfs. 10 days from 9/9/76 to file responsive brief to def. Comptrollers motion. (HDC-J)rm-copies mailed
9-8	18.	Appl. for order allowing pltfs. additional time to file a resp. brief to the intervenors-defts. motion for S/J, filed. ph <i>at 9</i>

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-62</u>
United Bank of Tulsa, et al		James E. Smith, et al	PAGE <u>3</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
1976			
9-8	19.	Order, filed, that pltfs. are given until 9-23-76 to resp. to the Intervenor-Defts. Motion for S/J. (HDC-J)ph cps mld	
9-10	20.	Response of def. Comptroller, to intervenors mo/sj, filed. rm	
9-15	21.	Response of def. Comptroller, Bloom, to motion of defs/intervenors for SJ, filed.rm	
9-20	22.	Appl. of pltf. for ext. of time to file responsive brief to def. mo/judg. on pleadings or SJ, filed. rm	
9-20	23.	Appl. of pltf. to enter as addl. attys of record for pltf., filed.rm	
9-21	24.	Order, filed, granting Jerry R. Nichols and Thomas P. Nally leave to enter as atty of record for pltf. (HDC-J)rm-copies mailed	
9-21	25.	Order, filed, granting pltfs. to 9/23/76 to file responsive brief to motion of def. (HDC-J)rm-copies mailed	
9-23	26.	Cross-Mot. for S/J, fld. by Pltfs. v	
9-23	27.	Pltfs.' combined responsive brief to Deft. Comptroller's mot. for Judg. on the pldgs., or in the alt., for S/J, and Pltfs.' original brief in support of their cross-mot. for S/J, fld. v	
9-23	MO:	Defts. granted 10 days from this date to respond to the Cross-Mot. for S/J fld. by Pltfs. (HDC-J)v	
9-28	28.	Appl. of def. for ext. of time to respond to cross-mo/SJ of pltf., filed. rm	
9-28	29.	Order, filed, that deft. is given until 10-18-76 to resp. to cross-motion for S/J. (HDC-J)ph cps mld	
10-4	30.	Appl. of Intervenor-Defts. for ext. of time to resp. to cross-motion for S/J, filed. ph <i>o-b-g</i>	
10-5	31.	Order, filed, granting intervenors-defs. to 10/18/76 to respond to cross-motion for SJ of pltfs. (HDC-J)rm-copies mailed	
10-15	32.	Deft. Acting Comptroller's oppos. to pltfs' cross-motion for S/J, filed. ph	
10-15	33.	Memo. of points and auth. in support of the deft. Comptroller's oppos. to pltfs' cross-motion for S/J, filed. ph	
10-18	34.	Reply brief of intervenors-defs. in support of mo/judg. on pleadings, or alternatively, for SJ and in opposition to pltf. cross-mo/SJ, filed.rm	
3-15	MO:	Case set for hearing on deft. Comptroller's mo/Judgment on the pleading or in the alt. for S/J; motion for S/J of Intervenor-Defts; and pltfs' cross-motion for S/J., on 3-22-77 at 9:30 a.m. (HDC-J)ph notices mld	
3-22	MO:	Hearing held on pltfs' cross-motion for S/J; motion of deft. Comptroller for judgment on the pleadings or in the altern. for S/J; and motion for S/J of intervenors-defs. Statements made. Gary Ryan admitted upon motion of Bill Anderson. Oath administered. Ruling on motions taken under advisement and matter submitted on its merits. (HDC-J)hm	
3-22	35.	Order, filed and entered, that motions for summary judg. of def. Comptroller & intervenors-defs. are sustained; and pltfs. mo/SJ is overruled.(HDC-J)rm-copies mailed	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-62-C
UNITED BANK OF TULSA, et al		ROBERT BLOOM, Acting Comptroller	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
5-17-77	36.	Notice of appeal by pltfs. from order of 3/22/77, filed. rm(copy to USCA)
5-17	37.	Bond for costs on appeal (surety), filed. rm
5-31		Reporters transcript of proceedings had on 3-22-77, hearings and oral arguments. fld. ho
6-6	38.	Counter-Designation of record of intervenors-defts., Brown James Akin, Jr., Roger Morris Atwood, Ted C. Bodley, John Bumgarner, William Dawson, Paul Hinch, John McCartney, Glenn Prichard, R. James Stillings, Wayne Swearingen and Taft Welch, filed. ph
6-16	39	Motion of plaintiffs-appellants to dismiss appeal, filed. g <i>cto</i>
6-17	40	Order, filed, dismissing appeal; concerned parties to bear any respective costs incurred in said appeal. (HDC-J)g cp mld to counsel & USCA.